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MAILED

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In re Patent No. 6,081,221
Issue Date: June 27, 2000
Application No. 09/140,739
Filed: August 27, 1998
Attorney Docket No. DOC-9801

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition filed August 22, 2012 under 37 CFR 1.378(c)¹, to accept the delayed payment of the maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within TWO (2) MONTHS from the mail date of this decision. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b). This is **not** final agency action within the meaning of 5 U.S.C. § 704.

The patent issued on June 27, 2000. The third maintenance fee due could have been paid during the period from June 27, 2011 to December 26, 2011 or, with a surcharge during the period from December 27, 2011 to June 27, 2012. Accordingly, this patent expired on June 27, 2012 for failure to timely remit the third maintenance fee.

Additionally, the petition is signed by Sandra Allen, who is neither an attorney or agent registered to practice before the United States Patent and Trademark Office, nor is it clear that petitioner is a party in interest as required by 37 CFR 1.378(d). Since there is no indication that petitioner was ever empowered to handle matters regarding the instant patent, the petition is not grantable. If petitioner desires to receive future correspondence regarding this patent, the appropriate power of attorney documentation must be submitted. If the new power of attorney and/or change of address is signed by an assignee, the assignee must comply with the requirements of 37 CFR 3.73(b). A courtesy copy of this decision will be mailed to petitioner. All future correspondence, however, will be mailed solely to the correspondence address of record.

Additionally, if petitioner desires to receive future correspondence regarding any Maintenance Fee Reminder which **may** be mailed concerning this patent, a Fee Address should be submitted to Maintenance Fee Division. A copy of the Fee Address form is included for your convenience.

¹ 37 CFR 1.378(c) provides that a petition to accept an unintentionally delayed payment of a maintenance fee must be filed within twenty-four months of the six-month grace period provided in § 1.362(e) and must include:

- (1) The required maintenance fee set forth in § 1.20(e) through (g);
- (2) The surcharge set forth in § 1.20(f)(2); and
- (3) A statement that the delay in payment of the maintenance fee was unintentional.

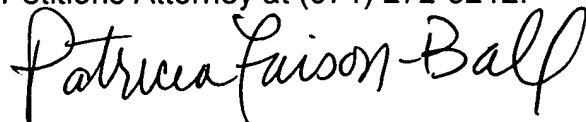
This patent expired June 27, 2012 and will remain in that status until such time as the above noted deficiencies have been cured.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

By FAX: (571) 273-8300
 ATTN: Office of Petitions

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

A handwritten signature in black ink that reads "Patricia Faison-Ball". The signature is written in a cursive, flowing style.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions